

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, Defendant Jones's motion to dismiss (Doc. 69) is **GRANTED**. Defendant Reeves and Neff's motion for summary judgment (Doc. 55) is **GRANTED in part** and **DISMISSED as moot** in part, such that the Court finds that the Plaintiff has failed to exhaust his administrative remedies but does not decide whether summary judgment is appropriate on other grounds. The Plaintiff's complaint is **DISMISSED** for failure to exhaust his administrative remedies.

SO ORDERED, this 14th day of March, 2017.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT